BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

| | |
|---|---|
| ROBERT COBLENS, CLAREEN COBLENS, JOHN HILTON, and NORMAN KRALMAN, Petitioners, vs. CITY OF MILTON-FREEWATER, Respondent. | LUBA No. 93-144 FINAL OPINION AND ORDER |

Appeal from City of Milton-Freewater.

R. A. Andy Millar, Milton-Freewater, represented petitioners.

Doug Hojem, Pendleton, represented respondent.

SHERTON, Referee; KELLINGTON, Chief Referee; HOLSTUN, Referee, participated in the decision.

DISMISSED 11/12/93

You are entitled to judicial review of this Order. Judicial review is governed by the provisions of ORS 197.850.

Opinion by Sherton.

ORS 197.830(10) provides that a petition for review must be filed within the deadlines established by Board rule. OAR 661-10-030(1) provides, in relevant part:

> "* * * The petition for review shall be filed with the Board within 21 days after the date the record is received by the Board. * * * Failure to file a petition for review within the time required by this section, and any extensions of that time under * * * OAR 661-10-067(2), shall result in dismissal of the appeal * * *."

OAR 661-10-067(2) provides that the time limit for filing the petition for review may only be extended with the written consent of all parties.

Under OAR 661-10-030(1), the petition for review in this appeal was due on October 11, 1993. No extension of time for filing the petition for review has been requested or granted. As of this date, no petition for review has been filed.

Because petitioners have neither filed a petition for review within the time required by our rules, nor obtained an extension of time for filing the petition for review, ORS 197.830(10) and OAR 661-10-030(1) require that we dismiss this appeal. McCauley v. Jackson County, 20 Or LUBA 176 (1990); Piquette v. City of Springfield, 16 Or LUBA 47 (1987); Hutmacher v. Marion County, 15 Or LUBA 514 (1987).

This appeal is dismissed.